BY: CITY UTILITIES COMMITTEE

02- R-1659

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL ASSISTANCE ROAD PROGRAM AGREEMENT FOR PROJECT NO. PR 8532-80 (121), FOR THE PURPOSE OF RESURFACING CITY STREETS, AND FOR OTHER PURPOSES:

WHEREAS, the Georgia Department of Transportation has agreed to resurface thirteen streets, 7.740 miles of roadway in the City of Atlanta in Connection with the Local Assistance Road Program and has presented two agreements for execution by the City of Atlanta, and it is deemed beneficial to the City of Atlanta to participate in this program; and

WHEREAS, Project PR 8532-80 (121) will benefit citizens in certain City Council Districts within the City of Atlanta, County of Fulton.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that the Mayor be and is hereby authorized to execute a Local Assistance Road Program Agreement for Project PR 8532-80 (121), in substantially the form attached hereto, Exhibit "A", for the purpose of resurfacing the following streets, and for other purposes:

- 1. Burbank Drive, SW from Martin L. King, Jr. Drive to W. Fair Street
- 2. Cascade Avenue, SW from Ralph D. Abernathy Boulevard to Beecher Street
- 5. Connell Avenue, SW from Metropolitan Parkway to Beeler Drive
- 4. Dollar Mill Road, SW from Bakers Ferry Road to Dollar Mill Way
- 5. Fair Street, SW from Joseph E. Lowery Boulevard to Holderness Street
- 6. Fairfield Road, NW from Broadland Road to Broadland Road
- 7. Forrest Park Road, SE from Conley Road to .54 mile south of S. River Industrial Boulevard
- 8. Hermer Circle, NW from Kevin Court to Tribble Lane
- 9. Millbrook Drive, NW from Mount Paran Road to Twin Springs Road
- 10. Mockingbird Lane, SW from Benjamin E. Mays Drive to Tuckawanna Drive
- 11. Northcliff Drive, NW from Howell Mill Road to cul-de-sac
- 12. Walker Street, SW from Nelson Street to Peters Street
- 13. West Andrews Drive, NW from W. Paces Ferry Road to Habersham Road

BE IT FURTHER RESOLVED that a description of Project PR 8532-80 (121) is attached hereto as Exhibit "B".

# DEPARTMENT OF TRANSPORTATION CITY RIGHT OF WAY AGREEMENT

STATE OF GEORGIA COUNTY OF FULTON CITY OF ATLANTA

The DEPARTMENT will assist the CITY in constructing a project for the resurfacing of 7.74 Miles as per attached sketch and designated as Project Number PR 8532-80 (121), hereinafter referred to as the "Project", a complete plan of said project is on file at the appropriate District Office of the Department of Transportation, on which reference is hereby made for all purposes;

Therefore, in consideration of the mutual benefit to the parties derived from the construction, installation and operation of said improvements, the CITY agrees as follows:

The CITY agrees to furnish, at no expense to the Department of Transportation, good and sufficient title, to provide Right of Way, necessary for the proper construction and maintenance of the above named project in accordance with pertinent agreements and regulations, according to the plans prepared by the DEPARTMENT, including any drainage deemed necessary by the Department or it's engineers, within the limits of said CITY.

The CITY agrees to provide for it's proper maintenance after completion of said improvements, and will make ample provisions each year for such maintenance.

The CITY agrees that when the above numbered project is advertised for letting, the CITY will arrange with various utility owners to place underground facilities that are approved to remain under the pavement in a satisfactory state of repair except where this phase of work is covered by separate agreements.

The CITY further agrees to assume responsibility for and cooperate with the Utility Owners in the moving, setting back, replacing or lowering of all customer's service connections, including gas lines, telephone lines, electric power lines, water mains and sanitary sewer connections to clear construction by one foot whether such facilities are publicly or privately owned except where this phase is covered by separate agreement. Additionally, the CITY will require stubs and headers to be installed to avoid future cutting of the pavement.

It is further agreed that after construction is completed on off-system projects, no new or additional utilities facilities will be allowed to encroach on the rights of way for this project except under permit issued by the CITY in accordance with the policies of the Department of Transportation, with special emphasis on the Department's prohibition on pavement cuts in new and widened roadways.

The CITY agrees to remove any existing structures or obstructions as provided in pertinent agreements, prior to advertisement for letting and to prevent any future encroachments upon the right of way limits of said roadway not covered by permits duly issued by the Department or the CITY; and furthermore agrees, obligates and binds itself in accordance with Title 40 of the Georgia Code that it will not pass any laws, rules, regulations or ordinances which penalize, hinder or otherwise obstruct the free movement of vehicular traffic on said roadway, including angle parking, nor erect any traffic signals, towers or lights on the said right of way without written consent of the DEPARTMENT.

The CITY agrees that prior to, during and after completion of the construction of the above named Project, the CITY shall defend and hold harmless the Department of Transportation for any liability for direct or consequential damages resulting from personal injury, property damages, or inverse condemnation, except for that which is the result of the sole negligence of the Department of Transportation. After completion and final acceptance by the Department, of the Project, the CITY assumes complete ownership, control, and responsibility, including any liability for the above named Project.

This Agreement is made and entered into in the City of Atlanta, Fulton County, Georgia, and shall be governed and construed under the Laws of the State of Georgia.

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This the day of	, 2002	
STATE OF GEORGIA COUNTY OF FULTON CITY OF ATLANTA	Shirley Franklin, Mayor of the City	
the above and foregoing	, as Clerk of said City, do here an of the books and records of the same, and the opy of the original is now on file in my office City was authorized and directed to execute the said City.	ce.
Witness my hand , 200	and official signature, this day	of
STATE OF GEORGIA	, City Clerk	
COUNTY OF FULTON CITY OF ATLANTA	•	
This is to certify, named and described above	that in my opinion, the dedication of the stree is complete.	:ts
	City Attorney Date	

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BURBANK DR CS CASCADE AVE CASCADE AVE CS	HERMER CIRCLE CS L: KEVIN CT TRIBBLE LANE	HILDBROOK DR CS NOUNT PARAN RD TWIN SPRINGS RD
Road Road Road Road Road Road Road Road	Road Mane Co. Rd. No Beginning At: Ending At	9 Road Name. Co. Rd. No Beginning At: Ending At.
Exhibit A-3		

Project Number: PR 8532-80 (121)	Proposed Construction: Superpave Design Lev A SPE 9.5MM@125#	Proposed Construction: Superpave Design Lev A SPE 9.5M06125#	Proposed Construction: Superpave Design Lev A SPE 9.5MMe125#	Proposed Construction: Superpave Design Lev A SPE 9.5MM@125#
/ ATLANTA	Length: 0.300MI Width(FT): 28 Required Striping:	Length: 0.480MI Width(FT): 28 Required Striping:	Length: 0 440MI Width(FT): 38 Required Striping:	Length: 0.620MI Width(FT): 26 Required Striping:
Roads/Streets in: FULTON	10 Road Neme: MOCKINGBIRD LANE Co. Rd. No: CS Beginning At: BENJAMIN E MAYS DR Ending At: TUCKAWANNA DR	11 Road Name: NORTHCLIFF DR Co. Rd. No.: CS Beginning At: HOWELL MILL RD Ending At: CUL DE SAC	12 Road Name: WALKER ST Co. Rd. No: CS Beginning At: NELSON ST Ending At: PETERS ST	13 Road Name: WEST ANDREWS DR Co. Rd. No: CS Beginning At: W. PACES FERRY RD Ending At: HABERSHAM RD

Pavement markings as noted in the LARP PROJECT REPORT sheet(s) or typical section sheet(s) of this contract will be required. Center line, edge line and lane lines, unless listed as REQUIRED STRIPING in the LARP PROJECT REPORT sheet(s) of this contract will not be required. All other existing pavement markings (school sone, railroad, stopbar, symbol, words, etc.) shall be replaced as per section 150. NOTE

Where the Contractor is not responsible for shoulder construction, the Local Government or other will furnish LOW/SOFT SHOULDER warning signs to the Contractor to pick up, transport, erect and maintain until the resurfacing of the project is completed. At such time, the Local Government shall maintain the signs until the shoulder is brought to proper grade. The Local Government will remove the signs. On projects with low or soft shoulders, the Contractor shall erect immediately shead of construction operations LOM/SOFT SHOULDER warning signs at the project termini and at intervals not to exceed one mile.

The cost of complying with these requirements will not be paid for separately, but shall be included in the overall bid mitted under the item, LUMP SUM TRAFFIC CONTROL. NOTE

-qn

Channelization devices for use on shoulders will not be required except at the areas designated by log mile. Steady burn lights will not be required on channelization devices used on the shoulders for this project.

this Superpave Mix Design Level shall be as noted in the LARP PROJECT REPORT Sheet(s) or typical section sheet(s) of contract. NOTE

Temporary striping is required in accordance with Section 150.04 of the Georgia Specifications. Placement of permanent pavement markings (those for which a pay item is included in the contract, Item 652) shall be delayed for a period of 30 days minimum after placement of the final surface course on each roadway. NOTE

NOTE

### **Local Assistance Road Program**

The following is a list of street resurfacing projects approved by the Georgia Department of Transportation for inclusion into the LARP Program, and the Post Roads Program.

roject # Street Name	Quadrant	Beginning At	Ending At	Council	Mileage
R 8532-80 (121)					
BURBANK DRIVE	SW	MARTIN L KING JR DR	IW FAIR ST	4	0.30
CASCADE AVENUE	SW	RALPH D ABERNATHY BL	BEECHER ST	10	0.47
CONNELL AVENUE	SW	BEELER DR	METROPOLITAN PY	12	0.39
DOLLAR MILL ROAD	SW	BAKERS FERRY RD	DOLLAR MILL WY	10	0.98
FAIR STREET	SW	JOSEPH E LOWERY BL	HOLDERNESS ST	4	0.52
FAIRFIELD ROAD	NW	BROADLAND RD	BROADLAND RD	8	0.70
FORREST PARK ROAD	SE	.54 MILE s/o S RIVER IND BL	CONLEY RD	12	1.88
HERMER CIRCLE	NW	KEVIN CT	TRIBBLE LA	10	0.34
MILLBROOK DRIVE	NW	MOUNT PARAN RD	TWIN SPRINGS RD	8	0.32
MOCKINGBIRD LANE	SW	BENJAMIN E MAYS DR	TUCKAWANNA DR	11	0.30
NORTHCLIFF DRIVE	NW	HOWELL MILL RD	CUL-DE-SAC	8	0.48
WALKER STREET	SW	NELSON ST	PETERS ST	3,4	0.44
WEST ANDREWS DRIVE	NW	W. PACES FERRY RD	HABERSHAM RD	8	0.62

7.74

### TRANSMITTAL FORM FOR LEGISLATION

ATTN:

Greg Pridgeon

TO: MAYOR'S OFFICE

Commissioner's Signature	e	Rufus Division	J. Fushle  128 Signature
Originating Department: Public	Works	Contact Person:	Lawrence peter fext. 5754)
Committee(s) of Purview: City	Utilities	Committee Dead	dline: 09(11/02
Committee Meeting Date(s): 10	/01/02	Full Council Da	ite: 10/07/02 -
CAPTION:			
A RESOLUTION AUTHORIZ ROAD PROGRAM (LARP) A FOR OTHER PURPOSES.	ING THE MAYOR T AGREEMENT FOR P	O EXECUTE A ROJECT NO. PI	LOCAL ASSISTANCE R 8532-80 (121); AND
BACKGROUND/PURPOSE/I	DISCUSSION:		
The Georgia Department of Tr assist local governments in their program can proceed, the May City. This resolution authorizes	r efforts to resurface c or must execute an ag	ertain streets. Be creement for each	fore participation in this
FINANCIAL IMPACT, if any	<u>*•</u>		
NONE			
Mayor's Staff Only			900
Received by Mayor's Office	102 p	Reviewed By:	p.
Submitted to Council:			,
Action By Committee:	Adverse	_ Held	Amended
	Substitute	_ Other	

BY: CITY UTILITIES COMMITTEE

02- R-1660

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL ASSISTANCE ROAD PROGRAM AGREEMENT FOR PROJECT NO. PR 8531-90 (089), FOR THE PURPOSE OF RESURFACING CITY STREETS, AND FOR OTHER PURPOSES:

WHEREAS, the Georgia Department of Transportation has agreed to resurface five streets, 1.780 miles of roadway in the City of Atlanta in connection with the Local Assistance Road Program and has presented two agreements for execution by the City of Atlanta, and it is deemed beneficial to the City of Atlanta to participate in this program; and

WHEREAS, Project PR 8531-90 (089) will benefit citizens in certain City Council Districts within the City of Atlanta, County of Fulton.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that the Mayor be and is hereby authorized to execute a Local Assistance Road Program Agreement for Project PR 8531-90 (089), in substantially the form attached hereto, Exhibit "A", for the purpose of resurfacing the following street, and for other purposes:

- 1. Howard Street, SE from Hosea L. Williams Drive to Memorial Drive
- 2. Howard Street, NE from Hosea L. Williams Drive to Kirkwood Drive
- 3. Marion Avenue, NE from Oakdale Road to dead end
- 4. Ormewood Avenue, SE from Moreland Avenue to Flat Shoals Road
- 5. S. Ponce De Leon Avenue, NE from Ponce De Leon Avenue to City Limits

BE IT FURTHER RESOLVED that a description of Project PR 8531-90 (089) is attached hereto as Exhibit "B".

BE IT FINALLY RESOLVED that the City of Atlanta shall incur no liability under these agreements until same has been executed by the Georgia Department of Transportation.

## DEPARTMENT OF TRANSPORTATION CITY RIGHT OF WAY AGREEMENT

STATE OF GEORGIA COUNTY OF DEKALB CITY OF ATLANTA

The DEPARTMENT will assist the CITY in constructing a project for the resurfacing of 1.78 Miles as per attached sketch and designated as Project Number PR 8531-90 (089), hereinafter referred to as the "Project", a complete plan of said project is on file at the appropriate District Office of the Department of Transportation, on which reference is hereby made for all purposes;

Therefore, in consideration of the mutual benefit to the parties derived from the construction, installation and operation of said improvements, the CITY agrees as follows:

The CITY agrees to furnish, at no expense to the Department of Transportation, good and sufficient title, to provide Right of Way, necessary for the proper construction and maintenance of the above named project in accordance with pertinent agreements and regulations, according to the plans prepared by the DEPARTMENT, including any drainage deemed necessary by the Department or it's engineers, within the limits of said CITY.

The CITY agrees to provide for it's proper maintenance after completion of said improvements, and will make ample provisions each year for such maintenance.

The CITY agrees that when the above numbered project is advertised for letting, the CITY will arrange with various utility owners to place underground facilities that are approved to remain under the pavement in a satisfactory state of repair except where this phase of work is covered by separate agreements.

The CITY further agrees to assume responsibility for and cooperate with the Utility Owners in the moving, setting back, replacing or lowering of all customer's service connections, including gas lines, telephone lines, electric power lines, water mains and sanitary sewer connections to clear construction by one foot whether such facilities are publicly or privately owned except where this phase is covered by separate agreement. Additionally, the CITY will require stubs and headers to be installed to avoid future cutting of the pavement.

It is further agreed that after construction is completed on off-system projects, no new or additional utilities facilities will be allowed to encroach on the rights of way for this project except under permit issued by the CITY in accordance with the policies of the Department of Transportation, with special emphasis on the Department's prohibition on pavement cuts in new and widened roadways.

The CITY agrees to remove any existing structures or obstructions as provided in pertinent agreements, prior to advertisement for letting and to prevent any future encroachments upon the right of way limits of said roadway not covered by permits duly issued by the Department or the CITY; and furthermore agrees, obligates and binds itself in accordance with Title 40 of the Georgia Code that it will not pass any laws, rules, regulations or ordinances which penalize, hinder or otherwise obstruct the free movement of vehicular traffic on said roadway, including angle parking, nor erect any traffic signals, towers or lights on the said right of way without written consent of the DEPARTMENT.

The CITY agrees that prior to, during and after completion of the construction of the above named Project, the CITY shall defend and hold harmless the Department of Transportation for any liability for direct or consequential damages resulting from personal injury, property damages, or inverse condemnation, except for that which is the result of the sole negligence of the Department of Transportation. After completion and final acceptance by the Department, of the Project, the CITY assumes complete ownership, control, and responsibility, including any liability for the above named Project.

This Agreement is made and entered into in the City of Atlanta, Dekalb County, Georgia, and shall be governed and construed under the Laws of the State of Georgia.

<b>V</b>	e	
This the day of	2002.	
STATE OF GEORGIA COUNTY OF DEKALB CITY OF ATLANTA	Shirley Franklin	Mayor
I,, as that I am custodian of the books and sand foregoing copy of the original is Mayor of the City was authorized and behalf of said City.	records of the same, and now on file in my offic	l that the above ee, and that the
Witness my hand and official si 2002.	gnature, this day o	of,
	City Clerk	
STATE OF GEORGIA COUNTY OF DEKALB CITY OF ATLANTA	•	
This is to certify, that in my named and described above is complete.		of the streets
	City Attorney	Date
		2 of 2

8531-90 (089)	Proposed Construction: Superpave Design Lev A BPR 9.5NW6125#	Proposed Construction: Superpave Design Lev A ASP LEVS	Proposed Construction: Superpaye Design Lev A 8PE 9.5M#0125#	Proposed Construction: Superpave Design Lev B SPE 9.5Mm125#	Proposed Construction: Superpave Design Lev A APE 9.5000125#
Project Number: PR 8531-90 (089)	ASP LIST	# 1 48%	Bropos Brapos Agr Lin	MA BRIODOS	# 00 M & 8 M
/ ATLANTA	Length: 0.280MI Width(FT): 26 Required Striping:	Length: 0.640MI Width(FT): 25 Required Striping:	Length: 0.070MI Width(FT): 21 Required Striping:	Length: 0.510MT Width(FT): 32 Required Striping:	Length: 0.280MI Width(FT): 26
Roads/Streats in: DEEALB	1 Road Name: HOWARD ST Co. Rd. No: CS Beginning At: NEMEDRIAL DR Ending At: HOSEA WILLIAMS DR	2 Road Name: HOWARD ST Co. Rd. No; CB Beginning At: HOBEA WILLIAMS DR Ending At: KIRKWOOD DRD	3 Road Name: MARION AVE Co. Rd. No: CS Beginning At: OAKDALE ND Ending At: D E	4 Road Name: ORNEWOOD AVR Co. Rd. No.: CS Beginning At: MORELAND AVE Ending At: FLATSHOALS RD	5 Road Name: 800TH PONCE DE LEON AVE Co. Rd. No.:: CS Beginning At: PONCE DE LEON AVE

178

## BUREAU OF PURCHASING AND REAL ESTATE LEGISLATION SUMMARY

TO:

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

#### CAPTION:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CHANGE ORDER #1 WITH CAPRICORN CONSTRUCTION COMPANY, INC., FOR FC-7154-99, ANDERSON PARK RECREATION CENTER IMPROVEMENTS ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED EIGHTEEN THOUSAND NINE HUNDRED THIRTY SEVEN DOLLARS AND FIFTY CENTS (\$318,937.50), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 1C22 573001 N12D09B69999; 3P02 521105 N11S060QNA0.

REQUESTING

DEPARTMENT:

Department of Parks, Recreation and Cultural Affairs

**CONTRACT TYPE:** 

Construction

AWARDEE:

Capricorn Construction Company, Inc.

SOURCE

**SELECTION:** 

N/A

**BID OPENING:** 

N/A

INVITATIONS

**ISSUED:** 

N/A

**BIDS** 

RECEIVED:

N/A

**BIDDER:** 

Capricorn Construction Co., Inc.

\$318,937.50

#### **BACKGROUND:**

Modification in the scope of work, and the original time of completion has changed.

**SOURCE OF FUNDING:** Fund, Account and Center Numbers: 1C22 573001 N12D09B69999; 3P02 521105 N11S060QNA0.

**EVALUATION TEAM COMPOSITION: DPRCA & BPRE** 

#### **Local Assistance Road Program**

The following is a list of street resurfacing projects approved by the Georgia Department of Transportation for inclusion into the LARP Program, and the Post Roads Program.

	1		Councit	Mileage
Quadrant	Beginning At	Ending At	District	
SE	MEMORIAL DR	HOSEA L WILLIAMS DR	5	0.28
NE	HOSEA L WILLIAMS DR	KIRKWOOD DR	5	0.64
NE	OAKDALE RD	DEAD END	6	0.07
SE	MORELAND AV	FLAT SHOALS RD	5	0.51
NE	PONCE DE LEON AV	CITY LIMITS	6	0.28
	SE NE NE SE	SE MEMORIAL DR  NE HOSEA L WILLIAMS DR  NE OAKDALE RD  SE MORELAND AV	SE MEMORIAL DR HOSEA L WILLIAMS DR  NE HOSEA L WILLIAMS DR KIRKWOOD DR  NE OAKDALE RD DEAD END  SE MORELAND AV FLAT SHOALS RD	SE MEMORIAL DR HOSEA L WILLIAMS DR 5  NE HOSEA L WILLIAMS DR KIRKWOOD DR 5  NE OAKDALE RD DEAD END 6  SE MORELAND AV FLAT SHOALS RD 5

1.78

### TRANSMITTAL FORM FOR LEGISLATION

ATTN:

Greg Pridgeon

TO: MAYOR'S OFFICE

John W. Sont .	- airfund J. Frakh
Commissioner's Signature	Division's Signature
Originating Department: Public Works	Contact Person: Lawrence Jeter (ext. 5754)
Committee(s) of Purview: City Utilities	Committee Deadline: 09/11/02
Committee Meeting Date(s): 10/01/02	Full Council Date: 10/07/02
CAPTION:	
A RESOLUTION AUTHORIZING THE MAYOR ROAD PROGRAM (LARP) AGREEMENT FOR FOR OTHER PURPOSES.	
BACKGROUND/PURPOSE/DISCUSSION:	
The Georgia Department of Transportation administ assist local governments in their efforts to resurface program can proceed, the Mayor must execute an a City. This resolution authorizes the Mayor to execut	certain streets. Before participation in this agreement for each project awarded to the
FINANCIAL IMPACT, if any:	
NONE	
Mayor's Staff Only	0-
Received by Mayor's Office 9/19/07	Reviewed By:
Submitted to Council:	
Action By Committee: Adverse	Held Amended
Substitute	Other